

Plaintiff's injuries, if any, were caused by the negligence of others over whom this defendant had no control, therefore plaintiff is barred from recovery against this defendant.

Respectfully submitted,

TROY KING (KIN047)
Attorney General

/s/Benjamin H. Albritton
Benjamin H. Albritton (ALB008)
Assistant Attorney General

ADDRESS OF COUNSEL:

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11 South Union Street
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(334) 242-7300

CERTIFICATE OF SERVICE

I hereby certify that I have, this the 26th day of August, 2005, served a copy of the foregoing upon the Plaintiff by placing same in the United States Mail, postage prepaid and properly addressed as follows:

John Inman, AIS# 234821
Frank Lee Youth Center
P.O. Box 220410, Dorm I-70
Deatsville, AL 36022

/s/Benjamin H. Albritton
Benjamin H. Albritton
Assistant Attorney General